UNITED
NATIONS

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Security Council

PROVISIONAL

S/PV.3026
6 January 1992

ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND AND TWENTY-SIXTH MEETING

Held at Headquarters, New York,
on Monday, 6 January 1992, at 5 p.m.

President:	Sir David HANNAY	(United Kingdom of Great Britain and Northern Ireland)
Members:	Austria	Mr. HOHENFELLNER
	Belgium	Mr. NOTERDAEME
	Cape Verde	Mr. JESUS
	China	Mr. LI Daoyu
	Ecuador	Mr. POSSO SERRANO
	France	Mr. MERIMEE
	Hungary	Mr. ERDOS
	India	Mr. GHAREKHAN
	Japan	Mr. HATANO
	Morocco	Mr. BENJELLOUN-TOUIMI
	Russian Federation	Mr. VORONTSOV
	United States of America	Mr. PICKERING
	Venezuela	Mr. RODRIGUEZ
	Zimbabwe	Mr. MUMBENGEGWI

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The meeting was called to order at 5 p.m.

EXPRESSION OF WELCOME TO THE NEW MEMBERS OF THE SECURITY COUNCIL AND OF THANKS TO THE OUTGOING MEMBERS OF THE SECURITY COUNCIL

The PRESIDENT: As this is the first meeting of the Security Council to be held in the new year, I should like to welcome the new members of the Council - Cape Verde, Hungary, Japan, Morocco and Venezuela. We all look forward with confidence to their participation in the work of the Council, which will be of invaluable assistance in the search for a solution to the complex issues that the Council confronts in its important role.

As President, I should also like to express the Council's gratitude to the outgoing members for their important contributions to the Council's work. The representatives of Côte d'Ivoire, Cuba, Romania, Yemen and Zaire won our esteem and contributed their talents in an immeasurable way to the discharge of the Council's responsibilities.

EXPRESSION OF THANKS TO THE RETIRING PRESIDENT

The PRESIDENT: I should like to take this opportunity to pay a tribute, on behalf of the Council, to my predecessor, Ambassador Vorontsov, the Permanent Representative of the Russian Federation, for his service as President of the Security Council during the month of December 1991. I am sure I speak for all the members of the Council in expressing deep appreciation to Ambassador Vorontsov for the great diplomatic skill, unfailing courtesy and effectiveness he demonstrated in the transaction of our business during December.

EXPRESSION OF WELCOME TO THE SECRETARY-GENERAL AND TRIBUTE TO THE OUTGOING SECRETARY-GENERAL

The PRESIDENT: On behalf of the members of the Security Council and on my own behalf, I should like wholeheartedly to congratulate and welcome the new Secretary-General, who is attending a formal meeting of the Council in that particular capacity for the first time today - although it is certainly not the first time he has attended one of our informal meetings, in which he has already participated in a remarkable and effective way. I am confident - and I am sure the other members of the Council are confident - that with his unique diplomatic skills and distinguished career he will enhance the authority and effectiveness of the Organization and of the Security Council as an important instrument for the maintenance of international peace and security. I am sure that along with me the other members of the Council will wish to pledge our very firm support to him in his efforts to that end.

I should like to take this opportunity also to pay a tribute to Mr. Boutros Ghali's predecessor, Mr. Perez de Cuellar, who has just completed his second term of office as Secretary-General. He earned our universal respect for the contribution he made to the cause of international peace and security, which was marked up to the last day in office by his remarkable efforts in the cause of peace in El Salvador.

ADOPTION OF THE AGENDA

The agenda was adopted.

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

The PRESIDENT: I should like to inform the Security Council that I have received letters from the representatives of Egypt and Israel in which they request to be invited to participate in the discussion of the item on the

(The President)

Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Elaraby (Egypt) and Mr. Aridor (Israel) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: I should like to inform the Security Council that I have received a letter dated 6 January 1992 from the Permanent Observer of Palestine to the United Nations, which will be issued as document S/23373 and which reads as follows:

"I have the honour to request that, in accordance with its previous practice, the Security Council invite Dr. M. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, to participate in the current debate of the Security Council on the item entitled 'The situation in the occupied Arab territories'."

The request is not made pursuant to rule 37 or rule 39 of the Security Council's provisional rules of procedure, but if approved the Council would invite the Permanent Observer of Palestine to participate, not under rule 37 or rule 39, but with the same rights of participation as those conferred by rule 37.

Does any member of the Security Council wish to speak on this request?

Mr. PICKERING (United States of America): As this is the first time I have spoken in the Security Council under your presidency, Sir, I should like to congratulate you. I wish also to thank your predecessor, to welcome

(Mr. Pickering, United States)

most warmly the new Secretary-General and to thank his predecessor for his many contributions. I also welcome the new members of the Council - Cape Verde, Hungary, Japan, Morocco and Venezuela; and I thank the representatives of the outgoing non-permanent members - Côte d'Ivoire, Cuba, Romania, Yemen and Zaire - for their contributions.

The United States, as it normally does when the question now before the Council is considered, will request a vote on the proposal before the Council, and the United States will vote against it on two grounds. First, we believe that the Security Council does not have before it a valid request to speak. Secondly, the United States maintains that the representative of the Palestine Liberation Organization should be granted permission to speak only if the request complies with rule 39 of the provisional rules of procedure. It is unwarranted and unwise for the Council to break with its own practice and rules in this regard. As all members of the Council are aware, it is long-established practice that Observers do not have the right to speak in the Security Council at their own request. The United States has consistently taken the position that under the Security Council's provisional rules of procedure the only legal basis on which the Council may grant a hearing to persons speaking on behalf of non-governmental entities is rule 39.

For four decades the United States has supported a generous interpretation of rule 39, and it would not have objected had this matter been appropriately raised under that rule. We are, however, opposed to special, ad hoc departures from orderly procedure.

The United States consequently opposes granting the Palestine Liberation Organization the same rights to participate in the proceedings of the Security

(Mr. Pickering, United States)

Council as those that would be granted if that organization represented a State Member of the United Nations. This point is in no way contradicted by General Assembly resolution 43/177.

We believe in listening to all points of view - but not in a manner that requires violating our rules of procedure. In particular, the United States does not agree with the recent practice of the Security Council that appears selectively to try to enhance the prestige of those who wish to speak in the Council through a departure from the rules of procedure. We consider this special practice to be without legal foundation and to constitute an abuse of our rules.

For all those reasons the United States requests that the terms of the proposed invitation be put to the vote. Of course, the United States will vote against the proposal.

The PRESIDENT: I thank the representative of the United States for his introductory remarks concerning me.

If no other member of the Council wishes to speak at this stage, I shall take it that the Council is ready to vote on the request by Palestine.

It is so decided.

I now put the request by Palestine to the vote.

A vote was taken by show of hands.

In favour: Austria, Cape Verde, China, Ecuador, India, Japan, Morocco, Russian Federation, Venezuela, Zimbabwe

Against: United States of America

Abstaining: Belgium, France, Hungary, United Kingdom of Great Britain and Northern Ireland

The PRESIDENT: The result of the voting is as follows: 10 votes in favour, 1 vote against and 4 abstentions. The request has been approved.

At the invitation of the President, Mr. Al-Kidwa (Palestine), took a place at the Council table.

The PRESIDENT: The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations. In this connection, members of the Council have before them a draft resolution, contained in document S/23372, which has been prepared in the Council's consultations.

Members of the Council have received copies of a letter dated 3 January 1992 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General, which will be issued as a document of the Council under the symbol S/23369.

Members of the Council have also received copies of a letter dated 6 January 1992 from the Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People addressed to the President of the Security Council. A similar communication addressed to the Secretary-General will be issued as document S/23374.

The first speaker inscribed on my list is the representative of Palestine, on whom I now call.

Mr. AL-KIDWA (Palestine)(interpretation from Arabic): Allow me first to congratulate you, Sir, upon your assumption of the presidency of the Security Council for this month. We have had occasion to witness your presiding over the Council in the past, and through that experience, and given our knowledge of your abilities, we are confident that you will guide the work of the Council successfully.

I should also like to pay a tribute to your predecessor, Ambassador Yuliy Vorontsov, for his efforts during the past month. This is the first time that the Security Council is meeting with the participation of the Russian Federation in place of the Soviet Union. Allow me to congratulate

(Mr. Al-Kidwa, Palestine)

Ambassador Vorontsov on his new representative capacity. Palestine has recognized the Russian Federation and all the other independent Republics which had formed the Soviet Union in the past. It is our hope that the bonds of friendship which had tied us with the USSR will continue with the Russian Federation and all the other Republics. We count on the continued friendship with Russia, a friendship which in the past was expressed through practical and political positions supportive of our legitimate rights. This friendship has made us and other Arab countries welcome the continued role of Russia as one of the sponsors of the peace conference on the Middle East. We should like to wish the people of Russia and all the peoples of the other Republics progress and prosperity.

I wish also to express our welcome to the new members of the Council, Cape Verde, Hungary, Japan, Morocco and Venezuela. They are all friendly countries, and we look forward to cooperating with them.

On this occasion, I cannot fail to thank the outgoing members of the Council, the friendly countries of Côte d'Ivoire, Cuba, Romania, Yemen and Zaire.

Nor can I fail to welcome Mr. Boutros Boutros Ghali, the new Secretary-General of the United Nations. I should like to congratulate him upon his assumption of his high post. We are proud that the Secretary-General comes from a sisterly Arab country, and we highly appreciate his personal qualities.

We are confident that he is the appropriate leader to conduct the work of the Organization aimed at the consolidation of international peace and security and the promotion of the role of the international Organization in the other important fields.

(Mr. Al-Kidwa, Palestine)

We will cooperate fully with the Secretary-General on the question of Palestine and the situation in the Middle East in a manner that will promote the role of the United Nations and his personal role in the peace process.

Here I cannot fail to place on record our high appreciation for and thanks to Mr. Javier Perez de Cuellar, the former Secretary-General of the United Nations, who ended his term of office a few days ago. On behalf of the Palestinian leadership I should like to thank him for the great efforts he made during his term of office on the question of Palestine and the crisis in the Middle East.

These are the first days of 1992 and this is the first official meeting of the Security Council this year. Allow me, Sir, to wish all the members of the Council, the Secretary-General and the Secretariat staff a Happy New Year. May it be a year in which we shall all be able to achieve the goals of the United Nations Charter.

However, the beginning of this year, as members are well aware, was not an auspicious one for the Palestinian people. The Security Council finds itself compelled once again to convene to consider a grave development relative to the situation in the Palestinian territories occupied by Israel since 1967, including Jerusalem.

On 2 January 1992, the Israeli Minister of Defence issued an order for the deportation of 12 Palestinian citizens from their homeland. The Israeli Government thereafter, despite all international reactions, including those of the permanent members of the Council, reaffirmed that decision unanimously.

Since the beginning of the intifadah, the Palestinian uprising which began in December 1987, the occupation authorities have deported 69 Palestinian citizens, thus violating five resolutions of the Security Council.

(Mr. Al-Kidwa, Palestine)

Altogether, Israel has deported approximately 2,000 other Palestinian citizens from the occupied territories since the beginning of the occupation in 1967, thereby violating numerous resolutions of the Security Council, all of which confirmed the applicability of the August 1949 Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War, to all the Palestinian territories occupied by Israel since 1967, including Jerusalem; these resolutions called upon Israel to desist from deporting any Palestinian civilian from the occupied territories and to allow the return of those who had already been deported.

As is well known, Israel did not abide by any of these resolutions. None of the Palestinians deported was allowed to return. Israel persisted in the policy of deportations, thus violating the provisions of the United Nations Charter and even the condicions for membership of the international Organization.

(Mr. Al-Kidwa, Palestine)

Israel is now doing it again through its latest decision of deportation. The policy of deportation, in addition to violating international humanitarian law and the United Nations Charter, takes its real roots in the ideological position which rejects not only the Palestinian national identity but the very Palestinian existence. It is an ideological position which insists on considering the existence of Palestinians in their own country as a transient situation that must be changed. The roots of that policy lie in the racist vision which insists on the need to depopulate the territory of its Palestinian inhabitants through a policy of transfer in order to annex the territory, while keeping the pure Jewish nature of the State. It is the same ideological position and the same racist vision. It may take different forms of expression: insistence on the continued occupation and subsuming of the territory, the continued construction of illegal settlements, the theft of Palestinian waters and other natural resources, the continued systematic destruction of the social and economic infrastructure of Palestine, or the policy of deportation, which is under consideration today.

The recent Israeli position to resume the policy of deportation was not an exceptional act during the previous stage. It was the culmination of a series of actions, resolutions and decisions that violate international law and the resolutions of the Security Council and the General Assembly. Israel has intensified mass punishments, such as the demolition of homes and the imposition of curfews for extended periods. Israel has also intensified its feverish policy of settlements, which has taken a dangerous form through the seizure of a number of homes owned by Arab families in Selwan, which is one of the neighbourhoods of Arab Jerusalem. Thereafter, the Israeli Government

(Mr. Al-Kidwa, Palestine)

decided to allocate two thirds of its 1992 budget for the establishment of those housing units in the occupied territories. Following that we had the encouragement of criminal misconduct by the armed settlers against the Palestinian people in the occupied territories. We must recall here that the presence of those settlers in the occupied territories is illegal under international law and resolutions of the Security Council. The arming of those settlers by the Israeli Government is illegal and immoral. The Israeli Government must be fully responsible for that action as well as for all its consequences.

That Israel has carried out all the aforementioned activities may not be very strange under normal circumstances. But what makes us truly wonder is the fact that Israel has been doing all those things during the current peace process in the Middle East and during a stage in which many parties are intensifying their efforts in order to achieve its success. All Arab parties concerned have committed themselves clearly to the peace process. As for the Palestinian party, the Palestine Liberation Organization (PLO) has welcomed the peace initiative and has approved Palestinian participation in the Madrid Conference and in the subsequent talks. This took shape through the resolutions of the Palestine National Council, as well as the Central Council and Executive Committee of the PLO. We have done so despite the magnitude of the concessions demanded of us, which were not proportionate with the concessions asked of the other party. We had hoped to facilitate some movement and to achieve serious and tangible developments towards peace. The Palestinian delegation to the peace conference conducted its business in an internationally recognized excellent manner that reaffirmed our commitment to move towards peace.

(Mr. Al-Kidwa, Palestine)

Despite having gained a great deal even before the beginning of the process, what has Israel done? It has encouraged further settlements in the occupied territories, intensified military aggression against southern Lebanon, reaffirmed its rejection of the principle of land for peace, reaffirmed its intention not to withdraw one inch and refused to arrive at the first round of the Washington talks at the appointed time. The intensification of its repressive actions against the Palestinian people in the occupied territories culminated in its latest deportation decision.

The only logical conclusion to be drawn is that Israel, having been compelled to participate in the peace process, is acting systematically to derail it and to maintain the Israeli position, which insists on subsuming the occupied territories even at the cost of eliminating any possibility for the establishment of peace in the Middle East.

Does this mean that we are about to withdraw from the political process as a result of the Israeli position? No. We are truly interested in the establishment of peace. We are committed to the political process. We will continue persistently in our attempt to realize our legitimate rights through that process as long as it continues. What is necessary is to prevent Israel from succeeding in derailing the peace process. We and the other fraternal Arab States must have a process in which to continue. For that to take place, the international community and, in particular, the sponsors of the peace conference must deal with the substantive issues and must face the true Israeli position, instead of evading it through procedural ploys to postpone facing up to the situation without achieving any progress. It is also

(Mr. Al-Kidwa, Palestine)

necessary to desist from trying to tempt Israel with a large number of political and financial prizes, including those in the United Nations, because, so far, that policy has proved a failure. Until one of the sponsors, the United States, has done so, it will remain necessary to maintain the continued role of international legitimacy as represented by the United Nations and, in particular, by the Security Council. The Council is entrusted in all circumstances with the maintenance of international peace and security. It is responsible for the maintenance of the credibility and effectiveness of all the resolutions it has adopted and of all those that it will adopt.

(Mr. Al-Kidwa, Palestine)

The Council is entrusted with upholding international law and international treaties. All of these are responsibilities that the Council cannot shirk, especially given the new conditions under which we all live, and it cannot disregard developments in the region.

In the specific case before us, and in addition to what I have just mentioned, the Council is responsible for resuscitating the peace process. The latest Israeli decision has compelled the members of the Palestinian delegation to the peace conference to suspend their journey to Washington while they await the decision of the leadership of the Palestine Liberation Organization (PLO) in this regard. The taking of an appropriate action by the Council today will undoubtedly reflect positively on the course of events.

In addition to its representing a principled position, the Council's successful adoption of a resolution today presupposes that Israel will be committed to it, which means that it will not implement its decision to resume deportation and will allow those deported earlier to return. It also presupposes that the Council will reconvene to take the necessary action should Israel not comply with the resolution. In addition, it will mean that in all cases the Council will have discharged its responsibilities under the Charter and towards the Palestinian people.

We expect the Council to adopt the draft resolution in document S/23372. In the hope that our expectations will be fulfilled, we should like to express our thanks to all the members of the Council for their swift response and for their support for the draft resolution. In any event, we wish to place on record our thanks to the non-aligned members for their efforts in this regard, as well as to you personally, Mr. President.

The PRESIDENT: I thank the representative of Palestine for the kind words he addressed to me.

The next speaker is the representative of Israel. I invite him to take a place at the Council table and to make his statement.

Mr. ARIDOR (Israel): It is a personal pleasure for me to be able to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of January. I have no doubt that your wealth of diplomatic experience will be of invaluable importance during the coming days.

I should also like to thank the Permanent Representative of the Russian Federation for the outstanding way in which he conducted the affairs of the Council during the month of December.

I want to join in the wishes expressed by the President and to extend my congratulations to Mr. Boutros Ghali upon his assumption of the important post of Secretary-General of the United Nations.

Just prior to the Madrid Conference an Israeli bus was attacked and two Israeli civilians were killed. Just before the last round of talks in Washington, Israeli vehicles were fired on. Most recently, an Israeli citizen was ambushed and killed while travelling to his home in Kfar Darmon, near the Dir El-Balach camp in the Gaza District, on the eve of the second round of peace talks.

Israel cannot allow what may well become an extended peace process to be used as a smokescreen for terror attacks against Israeli civilians. Israelis are being systematically attacked before each stage of the negotiations. Israel cannot responsibly refrain from reacting in a manner that would protect its citizens.

The decision to expel 12 Palestinian Arabs heavily implicated in organizing terror attacks was not hastily taken. The persons to be expelled

(Mr. Aridor, Israel)

are active members of the various terrorist organizations. Some of them have participated in attacks on soldiers of the Israel Defence Forces and local residents and others have taken part in the incitement and organization of violent disturbances in Judea, Samaria and the Gaza district. It should be noted that the expellees are not subject to immediate expulsion. Each one of the individuals who received expulsion orders has the opportunity to submit an appeal, first to an advisory committee attached to the Regional Commander and, subsequently, to the Israel Supreme Court sitting as the High Court of Justice.

Expulsions are a rarely used but highly effective deterrent measure. The last expulsion orders were issued against four Gaza district residents in May 1991. The expulsion of extremists actively engaged in wrecking the peace process will help create the security and calm so essential for serious peace talks.

The persons to be expelled are activists of three terrorist groups. The first is the Popular Front. This organization has taken responsibility for several serious attacks involving firearms. The last main ones include firing at an Israeli bus on the Alon Highway south of Tapuach on 28 October and shooting at the car of a resident of Ofra in the town of El-Bireh on 1 December. In these attacks, three Israelis were killed and 8 wounded.

The second is the Hamas Group. During 1991, 55 Hamas cells, which admitted to 67 attacks, were uncovered. They have carried out actions involving attacks, stabbings and hit-and-run vehicle attacks. The most outstanding examples are the running over of soldiers at Nizanim in July, when one soldier was killed and another injured, and at Tel Hashomer Junction in October, when two soldiers were killed and 11 injured.

(Mr. Aridor, Israel)

The third is the PLO Fatah Group, which is purported to support the peace process. Fatah members have committed approximately 320 terrorist acts in 1991. These attacks included shooting incidents, attacks with explosives, attacks using spray grenades, attacks with Molotov cocktails and stabbing incidents. Yasser Arafat himself, in an interview on Radio Monte Carlo on 29 October 1991, said, celebrating the new murder of Jews: "The intifadah will continue, wave after wave, and will escalate through all means and ways."

Let us see what the ways and means were that Arafat celebrated. In the attack on 28 October 1991, just one day before Arafat's statement, Itzhak Rofe, 40 years old, the father of four children, was murdered, and Rachel Druk, 35 years old, the mother of 7 children, was also murdered. Four children were wounded. The tragedy of their families evidently does not merit a resolution by the Security Council. This tragedy does concern Israel.

These terrorist attacks are directed not only against Jews. Since the beginning of the intifadah 572 Palestinians have been killed by the death squads of the PLO and affiliated organizations. All these murders - of Jews and Arabs alike - did not even once merit a condemnation by either the Security Council or the General Assembly. Quite the contrary: the General Assembly, in its resolution 46/76 of 11 December 1991, stated that the intifadah "has received significant attention and sympathy from world public opinion" (A/46/L.37, first preambular paragraph). This is almost a licence to kill issued by those who profess sympathy with such terrorist attacks here in this building.

(Mr. Aridor, Israel)

A one-sided and unbalanced view of the situation by the organs of the United Nations will not contribute to the peace process, and cannot but encourage more terrorist activities.

We have to discuss political solutions in the framework of the peace process. In the area itself, if attacked, we have to defend ourselves and deter terrorists. Political problems will be solved in the negotiations around the negotiating table. Terrorist attacks will be countered by military measures.

The expulsion orders issued by Israel are in accordance with the legal framework in force in Judea, Samaria and the Gaza District.

Pending the achievement of a political solution to the problem as a whole, Israel is responsible, according to international law, for the administration of the territories. Therefore, Israel is obliged to determine the manner in which order is to be restored and maintained. Most of the security measures adopted by the Military Government in the administered areas are based upon the local Jordanian or Egyptian legislation, of which the Defence (Emergency) Regulations 1945 form a part. The Regulations were enacted by the British Government in 1945 and applied to the whole area under the Mandate, which included the administered areas. Regulation 112 of the Regulations under which expulsion orders are issued has been held valid in the administered areas by the Israeli Supreme Court.

It has been argued that expulsion is prohibited by the Fourth Geneva Convention. However, the Fourth Geneva Convention is not applicable to Judea, Samaria and the Gaza District. These areas were not taken, as formulated in the Convention, from any legal sovereign. Nevertheless, Israel applies

(Mr. Aridor, Israel)

voluntarily the humanitarian provisions of the Convention, but they do not include, according to the interpretation of the Israeli Supreme Court, any prohibition of the expulsion of individuals involved in terrorist activities.

Israel has a legal obligation to defend its residents, Jews and Arabs alike, and will continue to do so. Israel will also continue to seek peace through the peace process. These two paths reinforce each other. By contrast, the Council's draft resolution will not enhance the peace process, nor will it discourage further terrorist attacks in the area: just the opposite.

The PRESIDENT: I thank the representative of Israel for his kind words addressed to me.

The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. ELARABY (Egypt)(interpretation from Arabic): I congratulate you, Sir, on your election to be President of the Security Council for this month. I am convinced that your broad diplomatic experience and personal qualities, which are so familiar to all of us, will have a very positive impact on the Council's work and the way in which it discharges its important responsibilities. I also congratulate your predecessor, the representative of The Russian Federation, on his skilful conduct of the Council's proceedings in December.

Similarly, my congratulations go to the new members of the Council - Cape Verde, Hungary, Japan, Morocco and Venezuela.

On behalf of the Government and people of Egypt, I wish to say that we are very happy to see Mr. Boutros Ghali as Secretary-General of the United Nations. We sincerely hope that his efforts in the service of international peace and security will be crowned with success.

(Mr. Elaraby, Egypt)

The Security Council is meeting once again to consider a very important subject, one closely related to the question of the Middle East and the legitimate rights of the Palestinian people. It is a subject at the very core of the conflict in the region, which is one of the trouble spots threatening international peace and security.

There is no doubt that the recent decision of the Israeli Government to expel 12 Palestinians from the occupied territories is, like the establishment of settlements, a flagrant violation of the rights of civilians in occupied territories under the Fourth Geneva Convention of 1949. The decision has had a negative impact on the current peace process, in which the entire international community has placed its hopes; we hope that the process will lead to a just and lasting peace in the Middle East.

Sincere international efforts have been made to bring about a just and comprehensive settlement of the Palestinian problem. The representatives of the Palestinian people have shown great flexibility, which has earned them the admiration and esteem of the whole world. Such flexibility was also shown by all the Arab delegations at the Madrid peace conference. Those efforts, that flexibility and all the talks following the Madrid meeting have confirmed that the Palestinian side really wants a just and honourable peace, guaranteeing security for all the peoples of the region.

Those developments in the Middle East, which have taken place after a period of confrontation, now require that all the parties, particularly the Israeli Government, assume a very special responsibility by renouncing violent, anachronistic practices and stop trying to create a fait accompli

(Mr. Elaraby, Egypt)

which is at odds with the norms and principles of international law, represented by the United Nations Charter and the resolutions of United Nations bodies.

Egypt condemns Israel's repressive practices and calls on the Israeli Government to put an end to them immediately. Egypt also hopes that there will be no additional measures that will further complicate the situation. We hope that the current general trend will assert itself and there will be a conference with the Palestinian people, who have long suffered from occupation.

Just as we call on Israel to respect the Fourth Geneva Convention, which applies to the Palestinian territories occupied since 1967, so we hope that Israel will stop deporting Palestinians and creating settlements on their lands. We call on all the States that have signed the Fourth Geneva Convention to ensure that it is respected.

Since the Security Council is the international body most concerned with international peace and security and the need to respect the principles of international law and order, Egypt hopes that it will act to ensure respect by all States, without exception, for the Convention.

There is international unanimity on the need to protect the rights of the Palestinian people in occupied Palestinian territories and to ensure the exercise of their right to live in peace in their own territory and recover their inalienable national rights, including the right to self-determination within the framework of a peaceful settlement which is just, comprehensive and permanent. That unanimity requires that none of us abandon our responsibilities regarding Israel's illegal practices.

(Mr. Elaraby, Egypt)

We must do all we can to ensure the credibility of the Security Council, in keeping with the radical changes that have taken place in the world recently, changes which should be consolidated with scrupulous respect for international legal principles and the norms of international law.

The PRESIDENT: I thank the representative of Egypt for his statement and for his kind words addressed to me.

I should like to inform the Council that I have received a letter from the representative of the Syrian Arab Republic in which he requests to be invited to participate in the discussion of the item on the Council's agenda.

In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and of rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Awad (Syrian Arab Republic) took the place reserved for him at the side of the Council Chamber.

The PRESIDENT: I invite the representative of the Syrian Arab Republic to take a place at the Council table and to make his statement.

Mr. AWAD (Syrian Arab Republic) (interpretation from Arabic): Allow me to avail myself of this opportunity to express to you, Sir, on behalf of my delegation, our warmest congratulations upon your assumption of the presidency of the Council for this month.

I should also like to express our thanks to Ambassador Vorontsov for the exemplary manner in which he guided the business of the Council during the past month.

I wish to take this opportunity to welcome the new members of the Security Council and our new Secretary-General, Mr. Boutros Ghali. My delegation is proud that this high post is being occupied by one of the Arab world's most distinguished citizens.

(Mr. Awad, Syrian Arab Republic)

Lastly, I should like to express my delegation's thanks to Mr. Javier Perez de Cuellar, the outgoing Secretary-General, for his efforts to establish peace and security the world over.

Once again the Security Council is meeting after defiance of its resolutions has become abundantly clear: the Council is meeting to consider the grave situation in the occupied territories as a result of the Israeli authorities' decision to deport 12 Palestinian citizens from their homes on Wednesday last, 1 January 1992, in a provocative action that could well jeopardize the current peace process and subject the Palestinian civilians under Israeli occupation to grave dangers and suffering. This can no longer be condoned: this conduct by Israel has been repeated many times in the past, in the absence of international deterrence, and without regard to morality. Israel's totally unjustifiable deportation of Palestinian citizens is a glaring violation of the Fourth Geneva Convention, which governs conduct by occupying Powers.

This provocative step by Israel is in disregard of the Arab negotiators and interlocutors who are attempting to salvage peace in the Middle East. The reaction by the international community is stronger this time than it has been in the past, especially as these deportations coincided with Israel's allocation of a large portion of its budget to expanding existing settlements and establishing new ones in the occupied Arab territories, and also because Israel is distributing arms to the settlers in the occupied territories and this could lead to massacres of Palestinian civilians in order to drive home the message that the only choice they have is to leave or to die.

(Mr. Awad, Syrian
Arab Republic)

The matter under consideration today is of extreme political and moral importance, and cannot be made contingent on flimsy Israeli pretexts. It expresses, in all its aspects, the need for the supporters of international law to be vigilant, so that they can deal with the terroristic and repressive measures taken by the Israeli authorities against unarmed Arab civilians who reject occupation, expansion and settlement by Israel in their motherland.

The immoral Israeli practices in the occupied Arab territories are aimed at expelling the Arab inhabitants of the territories through intimidation, harassment, curfews and collective punishments, and by demolishing homes in order to displace the Arab inhabitants out of their homeland and replace them with alien settlers. The continued occupation by Israel of the Arab territories is a continued act of aggression under the United Nations Charter and under the rules of international law. The situation is further exacerbated by the fact that this occupation has turned into illegal Jewish settlement, in total disregard of that same international law for which the international community has made great sacrifices in order to ensure its observance by one and all without exception.

The six paragraphs of article 49 of the Fourth Geneva Convention of 1949 prohibit deportations or the forcible transfer of protected civilian persons; the first paragraph of article 49 points to the fact that deportations are always coupled in the thoughts of humankind with the deportations that took place during the Second World War. It is among the responsibilities of the Security Council to act swiftly to put an end to these violations and practices by Israel, which affront human dignity.

(Mr. Awad, Syrian
Arab Republic)

The Security Council must take all the necessary actions to put a brake on Israeli extremism and provocation.

Needless to say, the best solution at the current stage, the solution that would spare Arab civilians further suffering and end their plight, would be to apply Chapter VII of the Charter of the United Nations in order to make Israel abide fully by the international community's resolutions. Until that is done, the explosive situation resulting from the continued Israeli occupation of the occupied Arab territories and settlement therein, as well as the Israeli disregard of the legitimate national rights of the Palestinian people, can only lead to further threats to international peace and security. Israel, and Israel alone, is responsible for the existence of these threats.

The Security Council has adopted a series of resolutions calling upon Israel to cease its deportations and to ensure the safe and immediate return of those deported earlier. These resolutions have also affirmed that Israel must desist forthwith from the deportation of any further Palestinian civilians from the occupied territories.

It is clear that the Israeli authorities have not taken these international resolutions into consideration in any way and have dealt with them in a defiant and disrespectful manner. Perhaps it is high time that the international community expressed its faith in the use of one yardstick in dealing with those who disregard international law. Perhaps it is high time that the Council gave effect to its will for the protection of the human rights of the Arabs in the occupied territories.

The PRESIDENT: I thank the representative of the Syrian Arab Republic for the kind words he addressed to me.

Mr. BENJELLOUN-TOUIMI (Morocco) (interpretation from French): I wish, on behalf of my delegation to congratulate you, Sir, on your assumption of the presidency of the Security Council. Your human qualities, your competence and your congeniality, which are so well known to all your colleagues, are the best earnest of the success of the Council's work this month.

I should like also to pay a tribute to Ambassador Vorontsov of the Russian Federation for the effectiveness and great mastery with which he guided the Council's proceedings in December.

I am pleased also to bid a warm welcome to Mr. Boutros Ghali, the new Secretary-General of the United Nations, and to take this opportunity to congratulate him on his election to this highly responsible post. I should like to assure him of the Moroccan delegation's cooperation and unswerving support.

Lastly, I wish to thank you, Mr. President, and all the representatives who have spoken so far for the kind words of welcome that have been addressed to Morocco.

This is not the first time that the Council has considered the question of the deportation of Palestinians. Unfortunately, as the events at the beginning of January this year have shown, this anti-humanitarian and illegal practice is continuing, is violation both of the Security Council's decisions and of the obligations that Israel assumed under the Fourth Geneva Convention of 1949.

These illegal, intolerable deportations have once again occurred at a time when the Middle East region seemed to be benefiting from the fallout of the new international climate, which was beginning to arouse great hopes for a just and definitive settlement of the Palestinian problem.

(Mr. Benjelloun-Touimi, Morocco)

My delegation is not participating in this debate in order to inflame passions; it would have hoped to be able to speak today in a constructive spirit, to make its contribution and lend its unreserved support to efforts to establish a just and lasting peace in the Middle East.

The Kingdom of Morocco has repeatedly condemned the measures taken by the Israeli authorities for deportation from the occupied territories. This practice is contrary to the Fourth Geneva Convention, which applies to these territories, and it cannot be tolerated.

This act is particularly reprehensible because it occurs at an important stage in the development of the peace conference on the Middle East, a time when sustained efforts are under way to continue a fragile dialogue begun a short while ago between the parties to the conflict, and to make possible the opening of true negotiations. That is why Morocco reiterates its total repudiation of these practices and firmly deplores the conduct of the Israeli authorities, which in no way contributes to the strengthening of the peace process under way with a view to finding a comprehensive, just and lasting solution to the conflict in the region.

My country therefore demands, as it has done in the past, that the Israeli Government put an end to these aggressive practices and work to establish a climate of confidence propitious to dialogue and negotiation. That is why we call upon the international community to confirm once again its unanimous position on the human rights of the Palestinian people, particularly its right to remain on the land of its birth and to have a genuine guarantee of the exercise of its right to self-determination within the framework of a just and lasting solution.

(Mr. Benjelloun-Touimi, Morocco)

The delegation of the Kingdom of Morocco will therefore vote in favour of the draft resolution before the Council, in the hope that it will be adopted unanimously and thereby send a clear, unequivocal message to the Israeli Government about the international community's will to prevent, and if necessary to oppose, any action that could thwart the promising process just embarked upon.

At a time when the whole world, at the beginning of this new year, is expressing wishes for peace and harmony, let us hope that the Israeli leaders will finally show responsibility and respect for proper values.

The PRESIDENT: I thank the representative of Morocco for his kind words.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put it to the vote now.

There being no objection, it is so decided.

I put to the vote the draft resolution in document S/23372.

A vote was taken by show of hands.

In favour: Austria, Belgium, Cape Verde, China, Ecuador, France, Hungary, India, Japan, Morocco, Russian Federation, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zimbabwe

The PRESIDENT: There were 15 votes in favour. The draft resolution has therefore been adopted unanimously as resolution 726 (1992).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. PICKERING (United States of America): I hope to be both blessedly brief and firmly forthright in my remarks, to meet a standard that most of us in the Security Council find increasingly elusive.

The United States Government believes that the deportation of individuals from the occupied territories is a violation of article 49 of the Fourth Geneva Convention as it pertains to the treatment of inhabitants of those territories. Any persons charged with wrongdoing should be brought before a court of law based on the evidence and should be given a fair trial which would afford full judicial process. If found guilty, such persons should be imprisoned. We have repeatedly urged the Government of Israel immediately and permanently to cease deportations, and to comply fully with the Fourth Geneva Convention in all of the territories it has occupied since 5 June 1967. We have therefore voted in favour of the resolution which calls on Israel to refrain from deporting any Palestinian civilian from the occupied territories.

The United States Government also views with concern the rise of violence in the occupied territories in recent months. We condemn, and we believe all countries should condemn, the increasing attacks on Israelis and the deaths which have resulted, just as we condemn attacks on and deaths of Palestinians. Violence against Israelis and Palestinians is wrong and can do nothing to contribute to a resolution of the Arab-Israeli conflict.

(Mr. Pickering, United States)

We have long called on all parties to avoid unilateral actions, be they words or deeds, that would raise tensions, invite retaliation or complicate the ability to pursue peace. Unlike previous occasions when the Security Council has met to consider similiar resolutions, in this case a means for a political dialogue between the parties to the conflict exists. Bilateral talks are scheduled to resume this week. It is there that the parties should turn to find solutions to the complicated problems of their long-suffering region.

As we have stated in the past, the United States regards the phrase, "all the Palestinian territories occupied by Israel since 1967, including Jerusalem", which appears in this resolution, as being merely demographically and geographically descriptive and not indicative of sovereignty.

Mr. VORONTSOV (Russian Federation) (interpretation from Russian): First, I should like to welcome you, Sir, as President of the Council for this month in the conviction that under your skilful leadership the Council will successfully cope with the difficult and important questions of international security which are on its agenda for January.

I should like to thank you, Sir, and also my colleagues, for the kind words which have been addressed to me. Permit me also to congratulate most sincerely the delegations of Cape Verde, Hungary, Japan, Morocco and Venezuela on their joining the membership of the Security Council and to express my conviction that the Council in its new composition will continue smoothly and fruitfully to do its work in the interests of universal security.

I should like also to welcome the Secretary-General of our Organization, Mr. Boutros Ghali, who is taking part for the first time in the work of the

(Mr. Vorontsov, Russian Federation)

Council at an official meeting. I am confident that our successful cooperation with him will promote a further enhancement of the effectiveness of the Council's work.

As one of the sponsors of the Middle East peace process, the Russian Federation intends to continue active efforts to promote the negotiations between the Arabs and Israel which began at the Madrid Conference. It is also our intention to continue to cooperate closely with our co-Chairman, the United States, and with those parties directly involved in the Arab-Israel conflict, as well as all States which have an interest in achieving an early settlement of this grievous international problem.

The Russian leadership approaches the Palestinian problem with an equal degree of attention as did the former leaders of the Soviet Union. It will do everything possible to see to it that the rights of the Palestinian people are duly observed.

In our view, the bilateral negotiations held in Washington in December were one more step on the difficult road towards a radical improvement of the situation in the Middle East. There is agreement in principle on the continuation of these talks in the next few days. In this regard, it seems to us that what is required of all participants in the peace process, without exception, is the maximum of restraint and a constructive spirit to maintain the favourable political and psychological climate surrounding the negotiations and to prevent unnecessary difficulties.

On the basis of these arguments, and motivated by a sincere interest in the success of the peace process which has begun - and our role in it - we view the statement that the Israeli authorities made on the eve of the new

(Mr. Vorontsov, Russian Federation)

round of talks about the deportation of a group of Palestinians as a gesture that hinders mutual understanding and creates a spirit of confrontation between the parties to the talks.

We think that working towards an easing of tension on the West Bank and Gaza would be in the interests of all those involved in the peace process, including Israel, and would open up broader perspectives and enhance prospects for deepening the dialogue between the Arabs and Israel on the substance of other aspects of a Middle East settlement.

The Security Council has repeatedly addressed the problem of Israel's deportation of Palestinian civilians. In its previous resolutions the Council has expressed profound regret at this practice which has led to an exacerbation of the situation in the occupied territories.

Today, when the Middle East settlement process has reached a particularly responsible stage, it becomes a matter of urgency to take measures to prevent the deportation of this new group and the negative consequences it might have for the Arab-Israeli negotiations.

On the basis of the foregoing, the delegation of the Russian Federation voted for the resolution that has just been adopted. In our view, it is balanced and will promote the creation of a favourable climate for a continuation of Arab-Israeli talks.

The PRESIDENT: I thank the representative of the Russian Federation for his kind words addressed to me.

Mr. MERIMEE (France) (interpretation from French): First and foremost, the French delegation would like to extend to you, Sir, its congratulations on your assumption of the presidency and thank Ambassador Vorontsov for the manner in which he performed his functions last month.

I should also like to bid a warm welcome to the new members of the Council and say goodbye to those who are leaving.

Finally, we should like to say that we are very happy to see Mr. Boutros Ghali occupying the post of Secretary-General, in which Mr. Pérez de Cuéllar served with such distinction.

It is a matter of great regret indeed that our Council must once again meet to respond to deportation orders issued by Israel against Palestinian civilians in the occupied territories.

My delegation greatly deplores the fact that the Israeli Government is still issuing such orders. We condemn these measures, which are contrary to the Geneva Convention whose de jure applicability to all the Palestinian territories occupied by Israel since 1967, including Jerusalem, the Council has constantly reaffirmed.

We note with great regret that the Israeli authorities remain deaf to the appeals of the international community. Many of the resolutions adopted in this chamber - most often unanimously - have called upon Israel to refrain from deporting Palestinian civilians and to ensure the return of those persons that have been expelled. It is highly regrettable that those texts remain unimplemented and that this illegal practice of deportation continues. I would add that the most recent deportation decision has special scope in that it concerns 12 people.

(Mr. Mérimée, France)

France has continually spoken out against the deportation orders because of their illegality, but the Israeli decisions announced on 2 January are not just a violation of law: They introduce a serious obstacle to the delicate peace process begun in Madrid - a process that France hopes will continue in a constructive manner.

To ensure the best chance of success for the negotiations which have begun, we must preserve a climate of peace, goodwill and open-mindedness. Any violence is harmful, and should therefore be condemned.

Our Council has an obligation to react to the expulsion measures announced on 2 January. We are happy that this is being done without delay as we unanimously adopt resolution 726 (1992).

The PRESIDENT: I thank the representative of France for his kind words addressed to me.

Mr. HATANO (Japan): Sir, may I at the outset congratulate you on your assumption of the presidency of the Council for the month of January, which I know is going to be difficult and busy. I am confident that your outstanding diplomatic skills and broad experience will greatly facilitate our work in the Council.

May I also express my appreciation to Ambassador Vorontsov, who presided over the Council for the month of December last year, in such an exemplary manner.

I take this opportunity to welcome our new Secretary-General, Mr. Boutros Ghali, and to extend to him my best wishes and those of my Government. I look forward to maintaining close cooperation with him for the success of the Security Council and of the United Nations as a whole.

As this is the first time I have spoken here since Japan became a member of the Council, let me express my gratitude for the kind words of welcome by you, Mr. President, and other colleagues. Since Japan last occupied a seat on this Council, the world has undergone profound change and so has the role of the Security Council. The task of building a new order of global peace has only just begun, but already the Council has proved capable of resolving conflicts and restoring international peace and security. Japan is fully aware of its obligations as a member of the Council and is determined to assume an increased share of global responsibility, political as well as economic, in the cause of world peace. In so doing, Japan intends to prove worthy of the trust and confidence Member States demonstrated in it by electing Japan to the Council by such an overwhelming number of votes.

I should like now to make a brief statement on the resolution the Council just adopted.

(Mr. Hatano, Japan)

In an official statement issued in Tokyo earlier today, the Government of Japan condemned the latest Israeli decision to expel 12 Palestinians from the occupied territories.

At this moment, the international community is united in its support of the peace conference which began in Madrid and continued in Washington. This recent Israeli decision to deport Palestinians runs counter to the peace efforts by the parties concerned. Japan demands that the Government of Israel rescind its decision and also ensure that all those previously deported may safely and without delay return to their homes.

Despite this action by the Israeli authorities, Japan hopes that all parties concerned will exercise maximum restraint so as to ensure that the peace conference can be resumed in Washington as soon as possible.

Lastly, I should like to explain Japan's position on the invitation of the representatives of the Palestine Liberation Organization (PLO) to the Security Council. In 1975 Japan, as a member of the Council, expressed the position that the PLO, as one of the major parties to the Middle East question, should be invited when this Council conducts its deliberations on the Middle East question, including the question of Palestine. I should like at this time to confirm that position. Accordingly, I supported the participation of the representatives of the PLO.

The PRESIDENT: I thank the representative of Japan for his kind words to me.

There being no further speakers on my list, the Security Council has thus concluded the present stage of the consideration of the item on its agenda.

The meeting rose at 6.25 p.m.